

REMARKS

I. Introduction

Claims 1-7 were previously canceled via an initial preliminary amendment.

Claims 8-29 are pending in the application. However, claims 11-14 and 24-26 were previously withdrawn pursuant to an election/restriction requirement.

Independent claims 8 and 20 have been amended to further clarify the claimed invention.

No new claims have been added.

Favorable consideration is respectfully requested in light of the foregoing clarifying amendments and the following remarks.

II. Objection to Specification

The Action objected to the disclosure based on a lack of headings for each section of the specification. Applicant has amended the specification to address the objection.

Withdrawal of the objection is respectfully requested.

III. Response Concerning Claim Rejections Under 35 U.S.C. § 102

Claims 8-10, 15-23, and 27-29 were rejected as being anticipated by U.S. Patent No. 5,949,591 to Whitehead (**Whitehead ‘591**).

Applicant respectfully submits that the rejection of claims 8-10, 15-23, and 27-29 under 35 U.S.C. § 102(b) as anticipated by **Whitehead ‘591** is not proper and/or is overcome because **Whitehead ‘591** does not disclose or suggest all of the limitations recited in the present claims. In re Paulsen, 30 F.3d 1475, 1478-79, 31 U.S.P.Q.2d 1671 (Fed. Cir. 1994); Verdegaal Bros. v. Union Oil Co. of California, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1997) (“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”).

Among other things, independent claims 8 and 20 require that the pivot be “movable and configured to translate in a transverse direction toward and away from the mirror foot.”

Whitehead ‘591 fails to disclose or suggest a such a pivot.

Rather, in contrast, **Whitehead ‘591** discloses a pivot or pivot bushing 37 that extends through an opening 38 (provided in the upper wall 30) and through opening 40 provided in housing to “pivotally mount housing 16 on mounting bracket 20.” (Col. 4, lines 55-59). There is no teaching or suggestion for the pivot itself to be movable and/or for the pivot as taught by **Whitehead ‘591** to be configured to translate in a transverse direction toward and away from the mirror foot (which is equated in the Action with mounting bracket 20).

For at least the reasons discussed above, Applicant respectfully submits **Whitehead ‘591** fails to disclose or suggest all of the claimed elements of the invention. Therefore, Applicant respectfully submits that the rejection of claims 8 and 20 under 35 U.S.C. § 102(b) is not proper and/or is overcome and should be withdrawn.

At least because each of claims 9-10, 15-19, 21-23, and 27-29 depend, directly or indirectly, from independent claim 8 and 20 (and include all of the limitations thereof), Applicants submit that the rejections of claims 9-10, 15-19, 21-23, and 27-29 under 35 U.S.C. §102(b) also are improper and/or have been overcome, and should be withdrawn.

IV. Request for Rejoinder of Previously Withdrawn Claims

Claims 11-14 and 24-26 were previously withdrawn from consideration as a result of a restriction requirement. Wherein all of the previously withdrawn claims depend from or otherwise require all of the limitations of what are asserted to be allowable claims (e.g., a generic, linking claim, or subcombination claim) and wherein the non-elected claims have not been canceled, Applicant requests the withdrawal of the restriction and rejoinder of the previously withdrawn claims. All such claims are believed to be in immediately allowable form for at least the reason that such claims depend, directly or indirectly, from allowable independent base claims.

V. Conclusion

For all of the above reasons, Applicant submits the claims are in proper form, and that the application is in condition for allowance. Such action is respectfully solicited.

If for any reason the application is not believed to be in full condition for allowance, the Examiner is earnestly requested to contact the undersigned.

Respectfully submitted,

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